

Panaji, 29th March, 1979 (Chaitra 8, 1901)

SERIES I No. 52

# OFFICIAL GAZETTE

## GOVERNMENT OF GOA, DAMAN AND DIU

GOVERNMENT OF GOA, DAMAN  
AND DIU

Local Administration and Welfare Department

Department of Personnel and Administrative Reforms

**ORDER**

2-80/75/FCS-CS

**Notification**

3-1-78-Div. I

In exercise of the powers conferred by the proviso to Article 309 of the Constitution read with the Government of India, Ministry of Home Affairs Notification No. F.1/29/68-CP dated 29-6-1968 and all other powers enabling him in this behalf the Lieutenant Governor of Goa, Daman and Diu hereby makes the following rules amending the Goa, Daman and Diu Police Service Rules, 1973, namely: —

1. *Short title and commencement.* — (1) These Rules may be called the Goa, Daman and Diu Police Service (Amendment) Rules, 1978.

(2) They shall come into force at once.

2. *Amendment of Rule 3.* — Sub-Rule (3) of Rule 3 of the Goa, Daman and Diu Police Service Rules, 1973 may be substituted by the following: —

“(3) The posts in Grade I shall be the Central Civil Group ‘A’ posts and those in Grade II shall be Central Civil Group ‘B’ posts”.

3. *Amendment of Rule 7.* — Rule 7 of the Goa, Daman and Diu Police Service Rules, 1973 may be substituted by the following: —

“*Nature of examination.* — Until otherwise decided by the Central Government in consultation with the Commission, the competitive examination for recruitment to the Service shall be the same as the combined Civil Service competitive examination held by the Commission for recruitment to the service and such other service or services as may be specified by the Central Government from time to time.”

By order and in the name of the Administrator of Goa, Daman and Diu.

V. J. Menezes, Under Secretary (Personnel).

Panaji, 20th March, 1979.

In exercise of the powers conferred by Section 3 of the Essential Commodities Act, 1955 (10 of 1955) read with the order of the Government of India, Ministry of Industry and Civil Supplies (Department of Civil Supplies and Co-Operation) S.O. 682(E) dated the 30th November, 1974 and in supersession of earlier Government Order of even number dated 6th December, 1976, published in the Official Gazette, Series I, No. 28 dated 16-12-1976, the Administrator of Goa, Daman and Diu hereby makes the following order namely: —

1. *Short title, extent and commencement.* — (1) This Order may be called the Goa, Daman & Diu Essential Articles (Non-Food-Stuffs) price (Display and Control) Order, 1979.

(2) It extends to the whole of the Union territory of Goa, Daman and Diu.

(3) It shall come into force on the date of its publication in the Official Gazette.

2. *Definition.* — In this order, unless the context otherwise requires, —

a) ‘article’ means any articles specified in the Schedule appended to this Order;

b) ‘dealer’ means a person who deals in the sale or storage for sale of any of the articles specified in the Schedule;

c) ‘Director’ means the Director of Civil Supplies and Price Control, Government of Goa, Daman and Diu;

d) ‘Government’ means the Government of Goa, Daman and Diu;

e) ‘Price’ in relation to an article means the amount of money for which any article is sold by a dealer to a consumer and includes any tax payable under any law in force covering such article;

f) ‘margin of profit’ means, the difference between (i) the price paid by a dealer for purchase of any articles including the taxes (imposed by any local authority and imposed on sale or purchase) payable by him and also the cost of transport, handling and storage charges incidental thereto incurred by or on his behalf, and (ii) the

price charged or realised by him for sale of the same article or the sum recovered or recoverable by him from his authorised agent in respect of sale of the said article and, where the sale is by a wholesale dealer acting as an authorised agent, means the difference between (iii) the sum paid or payable by him to his principal in respect of sale of any articles and (iv) the price charged or realised by him for the sale of the same articles;

g) 'Schedule' means the Schedule appended to this order.

3. *Price at which article can be sold.* — (1) No person shall sell or cause to be sold any articles specified in the Schedule to this Order for a margin of profit exceeding that specified in clause 4 in the case of a wholesale dealer and in clause 5 in the case of a retail dealer:

Provided that when the rate of sale of any article specified in Schedule is fixed by the Government or any Officer not below the rank of Deputy Director of Civil Supplies authorised in this behalf by the Government, the sale shall be made at the rate so fixed which shall not be in any case in excess of margin of profit referred in foregoing para.

*Explanation.* — The margin of profit indicated in clause 4 and 5 shall not, however, be applicable in the case of article for which the wholesale or retail price has been fixed by the manufacturers with the approval of the Central Government.

(2) No dealer shall withhold from sale any of the articles specified in the Schedule.

(3) Every dealer shall exhibit at the entrance or some other prominent place of his business premises, a price list of articles specified in the Schedule to this Order indicating therein the articles, its quality, sale unit and the price.

4. *Fixation of Margin of profit for wholesale dealer.* — No wholesale dealer shall sell or agree to sell or otherwise dispose of any article at a margin of profit:

(a) where the transaction is made by him as an authorised agent, in excess of 1 per cent;

(b) in any other case, in excess of  $1\frac{1}{2}\%$ , if the transaction is in cash, and 2 per cent if by credit;

Provided that, the Government may having regard to the supply position in any area, or availability of different varieties of articles or for securing the increased supply of any varieties of articles, by notification in the Official Gazette, fix different margins of profit in different varieties thereof or in respect of different consignment of articles received for distribution and sale.

5. *Fixation of Margin of Profit for Retail Dealer.* — No retail dealer shall sell or agree to sell or otherwise dispose of any articles at a margin of profit in excess of 5 per cent;

Provided that, the Government may having regard to the supply position in any area, or availability of different varieties of articles or for securing the increased supply of any varieties of articles, by notification in the Official Gazette, fix different margins of profit in different varieties thereof or in respect of different consignments of articles received for distribution and sale.

6. *Exemption.* — (1) For the purpose of calculating the percentage of profit provided for by this Order, all reasonable expenses incurred by the dealers such as cost, insurance, transport upto godown etc. shall be allowed.

(2) The percentage of profit fixed under clauses 4 and 5 shall not apply to articles or commodities supplied by the Central Government/State Government/Union Territory Government for consumption of the Union Territory of Goa, Daman and Diu.

7. *Procedure for Importing.* — Every person importing from outside India any article specified in the Schedule to this Order shall give intimation thereof to the Director, giving full particulars of the articles or things imported, within seven days of their clearance by the customs and shall comply with such directions that may be given by the Director regarding maintenance of stock, storage, sale price, disposal, delivery and distribution thereof.

8. *Power to Issue Orders.* — The Director may, from time to time, by general special order issue to any dealer such direction regarding sale, disposal, delivery and distribution of articles specified in the Schedule as he may deem fit and every dealer to whom an order or direction is issued under this Order shall comply with such order or direction.

9. *Power to Require Submission of Returns, etc.* — The Director, in the whole of the Union territory of Goa, Daman and Diu, the Collector of Daman in Daman district and the Civil Administrator, Diu in the district of Diu or any officer or person authorized in this behalf by the Government may with a view to securing compliance with this Order or to satisfy himself that any directive issued under this order is complied with —

(a) require any dealer to furnish within such period or at such intervals as may be specified, such information returns or reports and in such form as may be required, and

(b) prescribe the manner in which accounts of any sale, purchase or other transactions of articles specified in the Schedule to this Order should be kept.

10. *Power to Inspect, etc.* — Any Officer or person authorised in this behalf by the Government may, with such assistance, if any, as he deems fit —

(a) inspect or cause to be inspected any article or other documents belonging to or under the Control of any dealer;

(b) enter and search or authorise any person to enter and search the premises of a dealer;

(c) seize stocks of articles specified in the Schedule to this Order or authorise any person to seize such stocks in respect of which he has reason to believe that a contravention of this Order has been or is being or is about to be committed.

#### SCHEDULE

Sr. No.	Name of Article
1.	Soaps (Toilet and Washing).
2.	Torch Cells of all varieties.
3.	Electric Bulbs for domestic use of a) 15 Walts, b) 25 Walts, c) 60 Walts & d) 100 Walts.

Sr. No.	Name of article
4.	Controlled Cloth of all varieties.
5.	Kerosene.
6.	Tyres.
7.	Tubes.
8.	Cement.
9.	Exercise Books out of quota of paper supplied by the Government.

By order and in the name of the Administrator of Goa, Daman and Diu.

E. N. Rodrigues, Under Secretary (Revenue).

Panaji, 21st March, 1979.

### Notification

3-16-78-LAWD(GEN)

Whereas certain draft rules, further to amend the Goa, Daman and Diu Municipalities (Common Cadre of Chief Officers) Rules, 1970, were published as required by sub-section (3) of section 306 of the Goa, Daman and Diu Municipalities Act, 1968 (Act No. 7 of 1969) at pages 569-570 of the Official Gazette No. 42, Series I, dated 18-1-79 under the Notification No. 3-16-78-LAWD(GEN), dated 8-1-1979 of the Local Administration and Welfare Department, Government of Goa, Daman and Diu, inviting objections and suggestions from all persons likely to be affected thereby till 15 days from the date of publication of the said Notification in the Official Gazette;

And whereas the said Gazette was made available to the public on 18-1-1979;

And whereas objections and suggestions received from the public in the said draft have been considered;

Now, therefore, in exercise of the powers conferred by section 306 read with sub-section (6) of section 72 of the Goa, Daman and Diu Municipalities Act, 1968 (Act No. 7 of 1969), and all other powers enabling him in that behalf and in supersession of the Notification of even number dated 10-7-1978 published in the Official Gazette, Series I, No. 15, dated 13-7-1978, the Lieutenant Governor of Goa, Daman and Diu hereby makes the following rules so as to further amend the Goa, Daman and Diu Municipalities (Common Cadre of Chief Officer) Rules, 1970 (last amended by Notification No. DMA/8/76-77 (Fix Pay Scale), dated 24-12-1977 published in the Official Gazette No. 40, Series I, dated 5-1-1978, namely:—

1. *Short title and commencement*:— (1) These rules may be called the Goa, Daman and Diu Municipalities (Common Cadre of Chief Officers) (Fifth Amendment) Rules, 1978.

(2) They shall come into force at once.

2. *Amendment of rule 3*.— For rule 3 of the Goa, Daman and Diu Municipalities (Common Cadre of Chief Officers) Rules, 1970 (hereinafter referred to

as the principal Rules) the following shall be substituted, namely:—

“3. *Classification of Common Cadre*.— The Common Cadre of Chief Officers shall have three classes, namely:—

- (i) Class I (for all ‘A’ Class Municipalities).
- (ii) Class II (for all ‘B’ Class Municipalities).
- (iii) Class III (for all ‘C’ class Municipalities).

3. *Amendment of rule 4*.— In rule 4 of the principal Rules,

(i) for clause (a), the following shall be substituted, namely:—

“(a) *The post of Chief Officer of Class I* to be filled from suitable selection grade officers belonging to the Civil Service,”

(ii) for clause (b), the following shall be substituted, namely:—

“(b) *The post of Chief Officer of Class II* to be filled from suitable grade II Officers belonging to the Civil Service.”

(iii) after clause (b) of the following shall be inserted, namely:—

“(c) *The post of Chief Officer of Class III* to be filled from suitable officers of the rank of Mamlatdars or Superintendents of the cadre of Secretariat or Superintendents outside the Secretariat, included in Schedule II of the Goa, Daman and Diu Civil Services Rules, 1967 as amended from time to time.”

4. *Amendment of rule 5*.— For rule 5 of the Principal Rules, the following shall be substituted, namely:—

“5. *Procedure for filling up the posts*.— (1) Whenever there is any vacancy of Chief Officer in any Municipal Council, the Director of Municipal Administration shall obtain names of eligible candidates from the respective Cadre controlling authorities and recommend suitable names to the Government for issuing necessary appointment orders.

(2) The Government shall have powers to transfer the Chief Officers so appointed from one Municipal Council to another.”

5. *Amendment of rule 6*.— For rule 6 of the principal Rules, the following shall be substituted, namely:—

“6. *The period of deputation and the service conditions*.— (1) The normal period for which an officer shall be sent on deputation to the Common Cadre constituted under sub-section (5) of Section 72 of the Act shall be of 3 years.

(2) The terms and conditions of service for an officer while on deputation shall be as per the normal terms and conditions of deputation prescribed by Government from time to time.”

6. *Amendment of rule 8*.— For rule 8 of the principal Rules, the following shall be substituted, namely:—

“8. *Transitional provision*.— (i) On and after coming into force of the Goa, Daman and Diu

(Common Cadre of Chief Officers) (fifth Amendment) Rules, 1979 and until eligible officers are appointed to hold the posts of Chief Officers in accordance with the fifth Amendment Rules, 1979, such posts may continue to be held by officers who are holding such posts for the time being as if the (fifth Amendment) Rules, 1979 have not come into force.

(ii) The sub-rule (i) shall cease to be in force after a period of six months from the date of coming into force of the (fifth Amendment) Rules, 1979.

By order and in the name of the Administrator of Goa, Daman and Diu.

*E. N. Rodrigues*, Under Secretary (Revenue).

Panaji, 8th March, 1979.

### Industries and Labour Department

#### Notification

2-194-78-IPD

In exercise of the powers conferred by section 23 read with section 51A of the Indian Electricity Act, 1910 (Central Act 9 of 1910), the Lieutenant Governor of Goa, Daman and Diu makes the following amendment in the Govt. Notification No. 2-194-78-IPD, dated 27th December, 1978, published in the Official Gazette, Series I, No. 39, dated 28-12-1978 (hereinafter called the principal Notification), namely:—

i) In item 4 of the principal Notification, after clause (c) the following clauses shall be inserted, namely:—

“(d) Lighting upto 10% of the monthly energy consumption is allowed under S.S.I. tariff, for bonafide factory lighting purposes, Excess is chargeable at 30 Ps. per KWH.

(e) For staff quarters, rest/guest houses, street lighting in the colony situated separately from the main factory and when distribution lines, service lines, meters etc. are permitted to be owned and maintained by HT consumers all energy consumed will be charged at 30 Ps. per KWH”.

ii) In item 9 of the principal Notification, for clause (d) the following shall be substituted, namely:—

“(d) For staff quarters, rest/guest houses, street lighting in the colony situated separately from the main factory and when distribution lines, service lines, meters etc., are permitted to be owned and maintained by the HT consumers all energy consumed will be charged at 30 Ps. per KWH”.

By order and in the name of the Lieutenant Governor of Goa, Daman and Diu.

*P. Noronha*, Under Secretary, Industries and Labour.

Panaji, 21st March, 1979.

### Finance Department (Revenue and Control).

#### Notification

5-2-78/Fin(R&C)

In exercise of the powers conferred by sub-section (5) of section 8 of the Central Sales Tax Act, 1956 (Central Act 74 of 1956), the Administrator of Goa, Daman and Diu having been satisfied that it is necessary so to do in the public interest, hereby directs that for a period of one year from the date of publication of this notification in the Official Gazette, the tax payable under the said Act, by any dealer having his place of business in the Union territory of Goa, Daman and Diu in respect of the sale of cashew kernels by him from any such place of business in the course of inter-State trade or commerce, shall be calculated at the rate of two per cent of the sale price of the said goods so sold.

By order and in the name of the Administrator of Goa, Daman and Diu.

*S. S. Sukthankar*, Under Secretary (Finance).

Panaji, 22nd March, 1979.

### Legislative Assembly of Goa, Daman and Diu

#### Legislature Department

LA/B/36/75/79

The following Bill which was introduced in the Legislative Assembly of Goa, Daman and Diu on 26th March, 1979 is hereby published for general information in pursuance of the provisions of Rule 136 of the Rules of Procedure and Conduct of Business of the Legislative Assembly.

### THE GOA, DAMAN AND DIU SUPPLEMENTARY APPROPRIATION BILL, 1979

(Bill No. 11 of 1979)

A Bill to authorise payment and appropriation of certain sums from and out of the Consolidated Fund of the Union territory of Goa, Daman and Diu for the services and purposes of the financial year 1978-79.

BE it enacted by the Legislative Assembly of Goa, Daman and Diu in the Thirtieth Year of the Republic of India as follows:—

1. **Short title.**—This Act may be called the Goa, Daman and Diu Supplementary Appropriation Act, 1979.

2. **Issue of Rs. 6,92,86,500 out of the Consolidated Fund of the Union territory of Goa, Daman and Diu for the financial year 1978-79.**—From and out of the Consolidated Fund of the Union territory of Goa, Daman and Diu there may be paid and applied sums not exceeding those specified in column 5 of the Schedule amounting in the aggregate to the sum of six crores ninety two lakhs eighty six thousand and five hundred rupees towards defraying the several charges which will come in course of pay-

ment during the financial year 1978-79 in respect of the services and purposes specified in column 2 of the Schedule.

3. **Appropriation.**—The sums authorised to be paid and applied from and out of the Consolidated Fund of the Union territory of Goa, Daman and Diu, by this Act shall be appropriated for the services and purposes expressed in the Schedule in relation to the said year.

#### THE SCHEDULE

(See Sections 2 and 3)

No. of Demand	Services and purposes	Sums not exceeding		
		Voted by Assembly	Charged on the Consolidated Fund of the Union territory of Goa, Daman and Diu	Total
		Rs.	Rs.	Rs.
1	Union Territory Legislature and Elections ...	—	4,000	4,000
2	Miscellaneous General Services ...	3,42,000	59,000	4,01,000
3	Administration of Justice ...	4,500	35,000	39,500
4	Land Revenue, Stamps and Registration ...	25,000	—	25,000
5	State Excise, Sales Tax and Other Taxes and Duties ...	1,68,000	—	1,68,000
6	Taxes on Vehicles.	25,000	—	25,000
	Appropriation — Interest Payments ...	—	90,96,000	90,96,000
12	Public Works, Housing and Urban Development ...	20,70,000	—	20,70,000
14	Education, Art and Culture ...	74,70,000	—	74,70,000
15	Medical, Family Welfare and Public Health, Sanitation and Water Supply ...	5,70,000	—	5,70,000
16	Information and Publicity ...	4,45,000	—	4,45,000
17	Labour and Employment ...	8,65,000	—	8,65,000
18	Social Security and Welfare, Relief on account of Natural Calamities and Food ...	25,000	—	25,000
19	Cooperation and Community Development ...	1,19,67,000	—	1,19,67,000
21	Agriculture and Allied Services ...	25,000	—	25,000
22	Irrigation and Power Projects ...	1,98,78,000	—	1,98,78,000
23	Industries ...	1,03,20,000	—	1,03,20,000
24	Road and Water Transport Services (including Ports) ...	35,69,000	—	35,69,000
25	Tourism ...	2,01,000	—	2,01,000

1	2	3	4	5
		Rs.	Rs.	Rs.
Appropriation — Public Debt ...	—	68,000	68,000	
26 Loans and Advances by the Union Territory Government ...	20,55,000	—	20,55,000	
Total ...	6,00,24,500	92,62,000	6,92,86,500	

#### Financial Memorandum

Provision is made in the Bill to appropriate for certain services and purposes expressed in the Schedule during the financial year ending 31st March, 1979, a sum of Rs. 6,92,86,500 over and above the amounts granted or those services for the financial year 1978-79. The amount mentioned above consists of Rs. 4,29,17,500 on Revenue Account and Rs. 2,63,69,000 on Capital Account.

#### Statement of Objects and Reasons

This Bill is introduced in pursuance of section 29(1) of the Government of Union Territories Act, 1963, to provide for the Supplementary Appropriation out of the Consolidated Fund of the Union territory of Goa, Daman and Diu of the moneys required to meet the amounts required on certain services during the financial year, 1978-79 in excess of the amounts granted for those services.

SMT. SHASHIKALA G. KAKODKAR

Chief Minister

March, 1979

Panaji

Legislative Assembly of Goa, Daman and Diu

A

BILL

To give effect to the financial proposal of the Government of Goa, Daman and Diu, for the financial year 1978-79.

The Administrator has, in pursuance of sub-section (1) of Section 23 of the Government of Union Territories Act, 1963, recommended to the Legislative Assembly, the introduction and consideration of the Bill.

M. M. NAIK

Secretary, Legislature Department

Law Department (Establishment)

Office of the Chief Electoral Officer

Corrigendum

3-1-78/Elec.

The following corrigendum No. 56/79(2) dated 13-3-79 issued by the Election Commission of India,

New Delhi, is hereby published for general information.

K. C. D. Gangwani, Chief Electoral Officer.

Panaji, 19th March, 1979.

Election Commission of India

Corrigendum

*'Nirvachan Sadan', Ashok Road, New Delhi-1  
dated the 13th March, 1979*

S. O. — In para 3 of the Commission's notification No. 56/79 dated the 19th February, 1979, for the words "56/78(1), dated 25th January, 1978" the words "56/78, dated 25th January, 1978" shall be substituted.

[No. 56/79(2)]

By order,

(V. NAGASUBRAMANIAN)

Secretary

Government Press

### Notice

The subscribers to the Official Gazette are kindly reminded that their present subscription term ends on the 31st March, 1979, which is the close of the financial year.

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